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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of:

Schmal et al.

Serial No.: 10/706,351

Filing Date: November 12, 2003

For: THERMOPLASTIC ELASTOMER FILMS



Group Art Unit: 3727

Examiner: Not Yet Assigned

DATE OF DEPOSIT: 5/18/04

I HEREBY CERTIFY THAT THIS PAPER IS BEING DEPOSITED WITH THE UNITED STATES POSTAL SERVICE AS FIRST CLASS MAIL, POSTAGE PREPAID, ON THE DATE INDICATED ABOVE AND IS ADDRESSED TO: COMMISSIONER FOR PATENTS, P.O. BOX 1450, ALEXANDRIA, VA 22313-1450.

TYPED NAME: Stephen C. Timmins
REGISTRATION NO.: 48,481

Mail Stop PETITION
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

**PETITION TO ACCEPT UNINTENTIONALLY DELAYED CLAIM
FOR PRIORITY PURSUANT TO 37 CFR §1.78(c)(3)**

Applicants hereby advise the Office that they failed to file a timely and proper claim of priority under 35 U.S.C. §§ 119(e), 120, 121 or 365(c) within the later of four months from the filing date of the later filed application or sixteen months from the filing date of the prior-filed application. Accordingly, Applicant(s) hereby petition that the office accept the delayed claims for priority.

Accompanying this petition is:

1. An amendment directing entry of the claim for priority into the specification of the above-identified application; and
2. The fee of \$1,330.00 as set forth in 37 CFR §1.17(t).

STATEMENT


The entire delay in filing the required reply from the due date for the reply until the filing of a grantable petition under 37 CFR 1.137(b) was unintentional.

Payment of fee(s):

- ☒ A check in the amount of **\$1,330.00** is attached. Please charge any deficiency or credit any overpayment to Deposit Account No. 23-3050.
- ☐ Please charge Deposit Account No. 23-3050 in the amount of \$ _____.00. This sheet is attached in duplicate.
- ☒ The Commission is hereby authorized to charge payment of the above fees associated with this communication or credit any overpayment to Deposit Account No. 23-3050. This sheet is attached in duplicate.
- ☒ This Petition is enclosed in duplicate.

Date:

5/18/04



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